§§ 1.583–1.584 [Reserved]

INVENTIONS BY EMPLOYEES OF
DEPARTMENT OF VETERANS AFFAIRS

AUTHORITY: Sections 1.650 to 1.666 issued
under sect. 1, 66 Stat. 811, 72 Stat. 1114; 35
U.S.C. 266; 15 U.S.C. 3710a; 38 U.S.C. 501; E.O.
10096, E.O. 10930, 15 FR 389; 3 CFR 1949–1953
Comp.

EXPANDED REMOTE ACCESS TO COMPUT-
ERIZED VETERANS CLAIMS RECORDS BY
ACCREDITED REPRESENTATIVES

§ 1.600 Purpose.

(a) Sections 1.600 through 1.603 estab-
lish policy, assign responsibilities and
prescribe procedures with respect to:

(1) When, and under what cir-
cumstances, VA will grant authorized
claimants' representatives read-only
access to the automated Veterans Ben-
efits Administration (VBA) claims
records of those claimants whom they
represent;

(2) The exercise of authorized access
by claimants' representatives; and

(3) The bases and procedures for dis-
qualification of a representative for
violating any of the requirements for
access.

(b) VBA will grant access to its auto-
mated claimants' claims records from
locations outside Regional Offices
under the following conditions. Access
will be provided:

(1) Only to individuals and organiza-
tions granted access to automated
claimants' records under §§ 1.600
through 1.603;

(2) Only to the claims records of VA
claimants whom the organization or
individual represents as reflected in
the claims file;

(3) Solely for the purpose of the rep-
resentative assisting the individual
claimant whose records are accessed in
a claim for benefits administered by
VA; and

(4) On a read-only basis. Individuals
authorized access to VBA automated
claims records under §§ 1.600 through
1.603 will not be permitted to modify
the data.

(c)(1) Access will be authorized only
to the inquiry commands of the Bene-
fits Delivery Network which provide
access to the following categories of
data:

(i) Beneficiary identification data
such as name, social security number,
sex, date of birth, service number and
related service data; and

(ii) Claims history and processing
data such as folder location, claim sta-
tus, claim establishment date, claim
processing history, award data, rating
data, including service-connected med-
ical conditions, income data, depend-
ency data, deduction data, payment
data, educational facility and program
data (except chapter 32 benefits), and
education program contribution and
delimiting data (except chapter 32 ben-
efits).

(2) Access to this information will
currently be through the inquiry com-
mands of BINQ (BIRLS (Beneficiaries
Identification and Records Location
Subsystem) Inquiry), SINQ (Status In-
quiry), MINQ (Master Record Inquiry),
PINQ (Pending Issue Inquiry) and TINQ
(Payment History Inquiry). The identi-
fying information received from BIRLS
to representative inquiries will be lim-
ited to file number, veteran's name,
date of death, folder location and
transfer date of folder, insurance num-
ber, insurance type, insurance lapse
date and insurance folder jurisdiction.

(d) Sections 1.600 through 14.603 are
not intended to, and do not:

(1) Waive the sovereign immunity of
the United States; or

(2) Create, and may not be relied
upon to create, any right or benefit,
substantive or procedural, enforceable
at law against the United States or the
Department of Veterans Affairs.

[59 FR 47084, Sept. 14, 1994. Redesignated and
amended at 73 FR 29870, 29879, May 22, 2008]

§ 1.601 Qualifications for access.

(a) An applicant for read-only access
to VBA automated claims records from
a location other than a VA Regional
Office must be:

(1) An organization, representative,
attorney or agent approved or accred-
ited by VA under §§ 14.626 through
14.635; or

(2) An attorney of record for a claim-
ant in proceedings before the Court of
Veterans Appeals or subsequent pro-
ceedings who requests access to the
claimant's automated claims records
as part of the representation of the
claimant.